



PATENT
Atty Docket No. 0401-UTL-0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. Serial No. : 10/016,969 Confirmation No.: 7314
Applicant : Pittner et al.
Filed : 14 Dec 2001
TC/A.U. : 1646
Examiner : Ruixiang Li
Title : Peptide YY and Peptide YY Agonists for Treatment of Metabolic Disorders

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

RESPONSE TO OFFICE COMMUNICATION

Sir:

In response to the Office communication concerning the above referenced application, mailed on December 19, 2003, it appears that while the U.S. Patent Office received the Supplemental Amendment dated September 30, 2003, and the Request for Continued Examination filed September 22, 2003 (RCE acknowledged in PAIR), it did not receive the Response that was filed with the RCE. Therefore, Applicants resubmit the following papers:

Copy of Request for Continued Examination (1 page) dated September 22, 2003;
Copy of Response to Office Action (10 pages), which accompanied the RCE;
Copy of Supplemental IDS (2 pages);

CERTIFICATE OF MAILING
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

118/04
Date of Deposit

Amanda Halverson
Name of Person Mailing Paper
Amanda Halverson
Signature of Person Mailing Paper

Copy of Supplemental form PTO-1449 (2 pages);
Copy of the references cited in the PTO-1449;
Copy of Transmittal form (1 page);
Copy of Fee Transmittal form (1 page – in duplicate); and
Copy of return postcard mailed from the U.S. Patent Office acknowledging receipt of the above-referenced materials.

All the above-referenced materials were deposited by first class mail on September 22, 2003.

Applicants respectfully request that the Patent Office consider the Response that accompanied the RCE, filed September 22, 2003, first and then the Supplemental Amendment submitted on September 30, 2003. Applicants submit that upon entry of the amendments, the Supplemental Amendment sets forth the claims as currently pending. The Examiner is encouraged to call the undersigned attorney to discuss any issues related to the prosecution of the instant application.

Applicants believe that no fee is necessitated by the present paper. However, in the event any fees are due or any amount is to be credited, Applicants authorize the Commissioner of Patents to debit or credit Deposit Account No. 010535.

Respectfully submitted,

 1/8/04
Mi K. Kim
Reg. No. 44,830

AMYLIN PHARMACEUTICALS, INC.
9360 Towne Centre Drive
Suite 110
San Diego, CA 92121
Phone: (858) 552-2200
Facsimile: (858) 552-1936



Approved for use through 04/30/2003. OMB 0651-0031
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Image
RCE

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/016,969
		Filing Date	December 14, 2001
		First Named Inventor	Richard A. Pittner et al.
		Art Unit	1646
		Examiner Name	R. Li
Total Number of Pages in This Submission		Attorney Docket Number	0401-UTL-0/18528.010

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard Copy of submission dated September 22, 2003. Please see Remarks section for a complete list of items submitted herewith.
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Copies of: Request for Continued Examination (1 page); Response to Office Action (10 pages); Supplemental IDS (2 pages); Supplemental form PTO-1449 (2 pages); References cited in the PTO-1449; Transmittal form (1 page); Fee Transmittal form (1 page - in duplicate); and Return postcard mailed from the U.S. Patent Office acknowledging receipt of the above-referenced materials.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Amylin Pharmaceuticals, Inc. Mi K. Kim, Reg. No. 44,830	
Signature		
Date	1/8/04	

CERTIFICATE OF MAILING

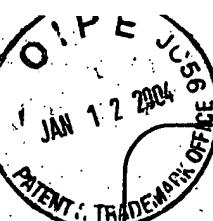
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Typed or printed name	Amanda Halverson	
Signature		Date 1/8/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1230)

Complete If Known

Application Number	10/016,969
Filing Date	December 14, 2001
First Named Inventor	Richard A. PITTLER et al.
Examiner Name	R. LI
Art Unit	1646
Attorney Docket No.	0401-UTL-0/18528.010

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Other None
Order

 Deposit Account:Deposit
Account
Number:

01-0535

Deposit
Account
Name:

Amylin Pharmaceuticals, Inc.

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee
 to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
90	-37 **	= 53	X 9 = 477
Independent Claims	14	-5 **	= 9 X 42 = 378
Multiple Dependent			X = 0

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 855)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code (\$)	Fee (\$)
1051	130	2051	65
1052	50	2052	25
1053	130	1053	130
1812	2,520	1812	2,520
1804	920*	1804	920*
1805	1,840*	1805	1,840*
1251	110	2251	55
1252	410	2252	205
1253	930	2253	465
1254	1,450	2254	725
1255	1,970	2255	985
1401	320	2401	160
1402	320	2402	160
1403	280	2403	140
1451	1,510	1451	1,510
1452	110	2452	55
1453	1,300	2453	650
1501	1,300	2501	650
1502	470	2502	235
1503	630	2503	315
1460	130	1460	130
1807	50	1807	50
1806	180	1806	180
8021	40	8021	40
1809	750	2809	375
1810	750	2810	375
1801	750	2801	375
1802	900	1802	900

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 375)

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	MI K. Kim	Registration No. Attorney/Agent)	44,830	Telephone	858-458-8494
Signature				Date	9/22/03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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		Art Unit	1646
		Examiner Name	R. Li
Total Number of Pages in This Submission		Attorney Docket Number	0401-UTL-0/18528.010

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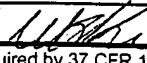
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Amylin Pharmaceuticals, Inc. Mi K. Kim, Reg. No. 44,830
Signature	
Date	September 22, 2003

CERTIFICATE OF MAILING

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Typed or printed name	Mi K. Kim	Date	9/22/03
Signature			

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**UTILITY PATENT**Date: 9/28/03Rec'd in the U.S. Patent & Trademark Office on the date stamped hereon via Certificate of Mail
Case # 0401-UT2-0 S/N: 10/016,969 Filed: Dec. 14, 2001

Pat # _____ Issued: _____

Examiner: R. Li Art Unit: 1646 Atty: M. K. KimApplicant: Pittree et al.Title: Peptide YY and Peptide YY Agonists...

- Transmitted (1 pg)
- Fee transmitted (1 pg) in duplicate
- Request for Continued Examination (1 pg)
- Response Afterfinal (10 pgs)
- Supp IDS (2 pgs.)
- Supp PTO (2 pages)
- References (10 references)
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- Return Postcard

UTILITY PATENTDate: 9/28/03

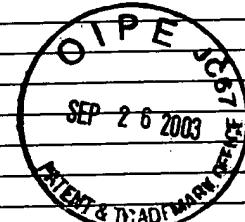
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Case # 0401-UT2-0 S/N: 10/016,969 Filed: Dec. 14, 2001

Pat # _____ Issued: _____

Examiner: R. Li Art Unit: 1646 Atty: M. K. KimApplicant: Pittree et al.Title: Peptide YY and Peptide YY Agonists...

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*dictated
CP*